

### Remarks

Applicant has reviewed the Office Action dated as mailed February 14, 2008, and the documents cited therewith. After the above amendments have been made, the present application contains claims 1, 4-14, 16-17, 19-20, 23-27, and 30-36. Claims 1, 4, 5, 10, 11, 14, 16, 17, 23, 24, 27, 30, and 36 have been amended. Claims 2, 3, 15, 18, 21, 22 and 28-29 have been canceled herein.

#### Claim Rejections under 35 U.S.C. §112

Claims 1-10, 15 and 22 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Regarding claim 1, the Office Action was unclear on what function a “predetermined function” performs. Applicant has amended claim 1 to recite “. . . performing a predetermined function related to anti-money laundering in response to the risk rating . . . .” Applicant submits that claim 1, as amended, more particularly points out and distinctly claims the subject matter which the Applicant regards as his invention. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the section 112 rejections of claim 1.

Claims 2-10 were also rejected under section 112 as being dependent from rejected claim 1. However, because independent claim 1 recites allowable subject matter in accordance with section 112, claims 2-10 also recite allowable subject matter for the same reasons. Accordingly, reconsideration and withdrawal of the section 112 rejection of these claims is respectfully requested.

Claims 5, 15, and 22 were also rejected under section 112, second paragraph as lacking utility. Specifically, the Office Action rejected these claims due to the phrases “customer knowledge or sophistication” and “sophistication or complexity of the selected financial product or instrument.” The Office Action stated “it is unclear how the degree of knowledge, sophistication, and complexity are determined.” Applicant traverses such rejections. Applicant has amended claim 5 and claim 1, in which claim 15 is incorporated therein, to recite “allowing input of a level of customer knowledge or sophistication needed to deal in the selected financial product or investment” and “allowing input of a level of sophistication or complexity of the selected financial product or investment.” As such, claims 1 and 5 particularly point out and distinctly claim the subject matter which the Applicant regards as his invention. Accordingly,

reconsideration and withdrawal of the section 112 rejections of the above claims is respectfully requested.

Regarding claim 22, claim 22 has been incorporated into claim 17, which, in part, recites:

“ . . . the risk rating tool is programmed to determine a risk rating based on responses to predetermined criteria related to at least one selected financial product or investment, the predetermined criteria comprising:

a customer sophistication with respect to the selected financial product or investment;

...

a level of complexity of the financial product or investment . . . ”

Applicant submits that the risk rating tool is programmed to determine a risk rating based on responses to predetermined criteria, which, among others, includes “customer sophistication” and “a level of complexity of the financial product.” As such, claim 17 is clear on how the risk rating is determined and thus, claim 17 particularly points out and distinctly claims the subject matter which the Applicant regards as his invention. Accordingly, reconsideration and withdrawal of the section 112 rejection of the above mentioned claims is respectfully requested.

*Claim Rejections under 35 U.S.C. §101*

Claims 1-16 and 27-29 were rejected under 35 §U.S.C. 101 as being directed to non-statutory subject matter. Applicant respectfully traverses this rejection. The Office Action stated that “the claimed subject matter is directed towards an abstract idea” and thus, is non-statutory subject matter. Independent claims 1 and 11 have been amended herein to recite features do not constitute abstract ideas.. As such, the language of claims 1 and 11 is directed to allowable subject matter under 35 U.S.C. 101.

Independent claim 27 was also rejected under 35 U.S.C. 101. Claim 27 was amended to recite:

“providing a server; and  
providing a risk rating tool operable on the server, wherein the risk rating tool determines a risk rating based on responses to predetermined criteria related to a selected country, at least one selected financial product and a selected customer type, the risk rating tool provides a risk rating output to a user . . . ”

Accordingly, the language of claim 27 is directed to allowable subject matter under 35 U.S.C. 101, including “providing a server,” and providing “a risk rating output to a user.” Additionally, claims 4-10, 12-14 and 16 depend from either independent claims 1 or 11, which are directed to allowable subject matter under 35 U.S.C. 101. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the section 101 rejections of pending claims 1-14, 16 and 27.

Claims 1-36 were rejected under 35 U.S.C. 101 as lacking utility. Applicant respectfully traverses such rejections. The Office Action stated that independent claims 1, 11, 17, 27 and 30 do not “provide a practical application that produces a useful, tangible, and concrete result.” It is submitted that all pending claims 1, 4-14, 16-17, 19-20, 23-27, and 30-36, as amended herein, produce a useful, tangible, and concrete result. Indeed, these claims are directed to systems for anti-money laundering and methods that produce a tangible and concrete result by “presenting the risk rating to a user,” or providing “a risk rating output to a user.” Thus, all pending claims 1, 4-14, 16-17, 19-20, 23-27, and 30-36 have utility in accordance with 35 U.S.C. 101 and reconsideration and withdrawal of the section 101 rejections of claims 1, 4-14, 16-17, 19-20, 23-27, and 30-36 is respectfully requested.

*Claim Rejections under 35 U.S.C. §102*

Claims 1-36 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication 2002/0138407 by Lawrence et al. (hereinafter “Lawrence”). This rejection is respectfully traversed. Claim 1, as amended herein, recites:

“ . . . presenting a graphical user interface for a user to select or enter a response or answer to each of a multiplicity of criteria or questions associated with a group including a selected country, a selected financial product or investment, and a selected customer type, wherein the multiplicity of criteria or questions presented in the graphical user interface comprises:

allowing selecting or entering if the selected country is a cooperative jurisdiction;

allowing selecting or entering an International Narcotics Strategy Report Rating associated with the selected country;

allowing selecting or entering if the selected country is a member of the Financial Task Force on Money Laundering (FATF)

allowing selecting or entering if the selected country was a party to a 1988 United Nations Convention;

allowing selecting or entering a quality of local laws and regulations associated with the selected country;

allowing selecting or entering a level of government support in the selected country related to enforcement of laws and regulations and prosecution of offenders;

allowing selecting or entering a strength of banking industry associated with the selected country; and

allowing selecting or entering a quality of banking regulation and oversight associated with the selected country . . .”

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of a graphical user interface allowing a user to select or enter the criteria or respond to questions as recited in amended claim 1.

Further, claim 1 has also been amended to recite:

“ . . . calculating a risk rating based on a set of values, each value being assigned to one of a plurality of different enterable or selectable responses or answers for each of the multiplicity of criteria or questions associated with the group including the selected country, the selected financial product or investment, and the selected customer type . . .”

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of calculating a risk rating based on a set of values where each value is assigned to one of a plurality of different enterable or selectable responses or answers for each of a multiplicity of criteria or questions associated with the group including the selected country, the selected financial product or investment, and the selected customer type, as recited in amended claim 1. Accordingly, for all of the above reasons, claim 1 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 1 is respectfully requested.

Regarding the rejection of claims 4-10 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. For example, claim 5, as amended, recites:

“allowing input of a level of customer knowledge or sophistication needed to deal in the selected financial product or investment;

allowing input of a level of sophistication or complexity of the selected financial product or investment;

determining the selected product or investment’s propensity for use in money laundering activity;

determining an ease of access to the selected financial product or investment; and  
determining the selected financial product or investment's attractiveness for use by terrorist."

In rejecting claim 5, the Examiner cited paragraph [0027] lines 4-7 and [0042] lines 6-11, which respectively recite:

"The GRM system 106 can facilitate detection and reporting of potential violations of law as well as address the "suitability" of a financial transaction and/or the assessment of sophistication of a customer." (Lawrence, paragraph [0027], lines 4-7)

"It will represent a magnitude of risk associated with a particular transaction and can be based upon the participants involved in a transaction, the type of transaction, the state sovereignties involved, an amount of money involved in the transaction, or other risk variables." (Lawrence, paragraph [0054], lines 6-11)

Accordingly, Lawrence only mentions addressing the assessment of customer sophistication and that transactions risks may be based upon the participants involved in a transaction, the type of transaction, the state sovereignties involved, or an amount of money involved in the transaction. No where does Lawrence teach or suggest: 1) allowing input of a level of customer knowledge or sophistication; 2) allowing input of a level of sophistication or complexity of the selected financial product or investment; 3) determining the selected product or investment's propensity for use in money laundering activity; 4) determining an ease of access to the selected financial product or investment; and 5) determining the selected financial product or investment's attractiveness for use by terrorist, as recited in claim 5. For example, although Lawrence discusses that customer sophistication is addressed, no where does Lawrence recite that customer knowledge or sophistication may be allowed to be input as criteria or a question in calculating risk. Accordingly, claim 5, as amended, is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 5 is respectfully requested.

Additionally, claims 4-10 depend either directly or indirectly from independent claim 1. Because of this dependency, claims 4-10 include all of the features of independent claim 1. Therefore, claims 4-10 are also submitted to be patentably distinguishable over Lawrence, and

reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

Regarding the rejection of independent claim 11 under 35 U.S.C. § 102(b) as being anticipated by Lawrence, claim 11 recites:

“determining the risk rating comprises:

allowing input of the person or other legal entity’s sophistication;

evaluating the person or other legal entity’s sophistication with respect to the at least one selected financial product or investment;

determining the at least one selected financial product or investment’s propensity for use for money laundering;

determining the at least one selected financial product or investment’s attractiveness for use by terrorist;

allowing input of a level of complexity of the at least one selected financial product or investment;

evaluating the level of complexity of the at least one selected financial product or investment;

determining if the at least one selected financial product or investment is currently monitored for use with respect to illegal activity;

determining a level of the person or other legal entity’s knowledge of the at least one financial product or investment; and

determining a level of ease of obtaining and using the at least one financial product or investment”

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of determining the risk rating by performing each of the following: 1) allowing input of the person or other legal entity’s sophistication; 2) evaluating the person or other legal entity’s sophistication with respect to the at least one selected financial product or investment; 3) determining the at least one selected financial product or investment’s propensity for use for money laundering; 4) determining the at least one selected financial product or investment’s attractiveness for use by terrorist; 5) allowing input of a level of complexity of the at least one selected financial product or investment; 6) evaluating the level of complexity of the at least one selected financial product or investment; 7) determining if the at least one selected financial product or investment is currently monitored for use with respect to illegal activity; 8) determining a level of the person or other legal entity’s knowledge of the at least one financial

product or investment; and 9) determining a level of ease of obtaining and using the at least one financial product or investment, as recited in amended claim 11. For example, there is no discussion at all in Lawrence about terrorist or attractiveness of a financial product for use in terrorism. Accordingly, claim 11 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 11 is respectfully requested.

Regarding the rejection of claims 12-14, and 16 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. For example, claim 16, as amended, recites:

“wherein determining the risk comprises:  
determining if the person or other legal entity is currently being monitored with respect to financial activity;  
determining a level of risk of the person or other legal entity being associated with terrorist activity;  
evaluating a level of knowledge about the person or other legal entity; and  
determining if the person or other legal entity is known to be a high risk.”

Lawrence does not teach or suggest that each of the following are performed in determining the risk rating: 1) determining if the person or other legal entity is currently being monitored with respect to financial activity; 2) determining a level of risk of the person or other legal entity being associated with terrorist activity; 3) evaluating a level of knowledge about the person or other legal entity; and 4) determining if the person or other legal entity is known to be a high risk. For example, there is no discussion at all in Lawrence about entities being associated with terrorist activity. Accordingly, claim 16, as amended, is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 16 is respectfully requested.

Additionally, claims 12-14, and 16 depend either directly or indirectly from independent claim 11. Because of this dependency, claims 12-14, and 16 include all of the features of independent claim 11. Therefore, claims 12-14, and 16 are also submitted to be patentably distinguishable over Lawrence, and reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

Regarding the rejection of independent claim 17 under 35 U.S.C. § 102(b) as being anticipated by Lawrence, claim 17, as amended, recites:

“a server; and  
a risk rating tool operable on the server,  
wherein the risk rating tool is adapted to determine a risk rating based on responses to predetermined criteria related to a selected country, at least one selected financial product and a selected customer type, and  
wherein the risk rating tool is programmed to determine a risk rating based on responses to predetermined criteria related to at least one selected financial product or investment, the predetermined criteria comprising:  
a customer sophistication with respect to the selected financial product or investment;  
a propensity of the selected financial product or investment for use for money laundering;  
an attractiveness of the selected financial product or investment for use by terrorist;  
a level of complexity of the financial product or investment;  
a current monitoring of the financial product or investment for use with respect to illegal activity;  
a level of a customer's or public's knowledge of the financial product or investment; and  
a level of ease of obtaining and using the financial product or investment.”

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of the features of the embodiment of the present invention recited as recited in claim 17. For example, Lawrence does not disclose, teach or suggest that the risk rating tool is programmed to determine a risk rating based on responses to predetermined criteria related to at least one selected financial product or investment, where the predetermined criteria includes each of the following: 1) a customer sophistication with respect to the selected financial product or investment; 2) a propensity of the selected financial product or investment for use for money laundering; 3) an attractiveness of the selected financial product or investment for use by terrorist; 4) a level of complexity of the financial product or investment; 5) a current monitoring of the financial product or investment for use with respect to illegal activity; 6) a level of a customer's or public's knowledge of the financial product or investment; and 7) a level of ease of obtaining and



using the financial product or investment. Accordingly, claim 17 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 17 is respectfully requested.

Regarding the rejection of claims 19-20, and 23-26 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. Additionally, claims 19-20, and 23-26 depend either directly or indirectly from independent claim 17. Because of this dependency, claims 19-20, and 23-26 include all of the features of independent claim 17. Therefore, claims 19-20, and 23-26 are also submitted to be patentably distinguishable over Lawrence, and reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

Regarding the rejection of independent claim 27 under 35 U.S.C. § 102(b) as being anticipated by Lawrence, claim 27, as amended, recites:

“providing a server; and

providing a risk rating tool operable on the server, wherein the risk rating tool determines a risk rating based on responses to predetermined criteria related to a selected country, at least one of a selected financial product and a selected customer type, the risk rating tool provides a risk rating output to a user; and

adapting the risk rating tool to determine the risk based on responses to predetermined criteria, the predetermined criteria comprising:

a level of cooperativeness of the selected country with respect to anti-money laundering;

the selected country being a party to the 1988 United Nations Convention;

a quality of banking regulations and oversight in the selected country;

the selected country being associated with terrorist related activity;

the selected country being on an Office of Foreign Asset Control (OFAC) list;

a quality of local laws of the selected country;

an International Narcotics Strategy Report Rating for the selected country;

a level of government support in the selected country for enforcement of laws and regulations and prosecution of offenses;

the selected country being a member of the Financial Action Task Force on Money Laundering (FATF); and

a strength of the banking system in the selected country.”

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of the features of the embodiment of the present invention recited as recited in claim 27. For example, Lawrence does not disclose, teach or suggest adapting a risk rating tool to determine a risk rating based on responses to predetermined criteria, where the predetermined criteria includes each of the following: 1) a level of cooperativeness of the selected country with respect to anti-money laundering; 2) the selected country being a party to the 1988 United Nations Convention; 3) a quality of banking regulations and oversight in the selected country; 4) the selected country being associated with terrorist related activity; 5) the selected country being on an Office of Foreign Asset Control (OFAC) list; 6) a quality of local laws of the selected country; 7) an International Narcotics Strategy Report Rating for the selected country; 8) a level of government support in the selected country for enforcement of laws and regulations and prosecution of offenses; 9) the selected country being a member of the Financial Action Task Force on Money Laundering (FATF); and 10) a strength of the banking system in the selected country, as recited in claim 27. Accordingly, claim 27 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 27 is respectfully requested.

Regarding the rejection of independent claim 30 under 35 U.S.C. § 102(b) as being anticipated by Lawrence, claim 30, as amended, recites similar features to independent claim 1. Therefore, independent claim 30 is respectfully submitted to be patentably distinguishable over Lawrence for the same reasons as discussed with respect to claim 1. Reconsideration and withdrawal of the 35 U.S.C. §102 rejection of claim 30 is, therefore, respectfully requested.

Regarding the rejection of claims 31-36 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. Additionally, claims 31-36 depend either directly or indirectly from independent claim 30. Because of this dependency, claims 31-36 include all of the features of independent claim 30. Therefore, claims 31-36 are also submitted to be patentably distinguishable over Lawrence, and reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

Conclusion

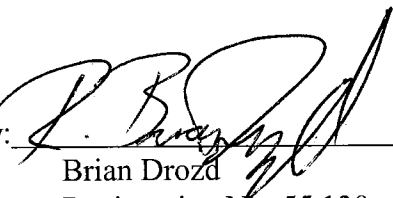
If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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